

ORDINANCE NUMBER _____

An ordinance to amend Section 222 of the Zoning Ordinance of the City of Beatrice, Ordinance Number 94-13, relating to definitions; to add Section 708 to the Zoning Ordinance of the City of Beatrice, Ordinance Number 94-13, relating to storage containers; and to provide for publication in pamphlet form and for an effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
BEATRICE, NEBRASKA:

SECTION 1. That Section 222 of the Zoning Ordinance of the City of Beatrice, Nebraska, Ordinance Number 94-13, be and is hereby amended as follows:

- “1. Screening: The method by which a view of one site from another adjacent site is shielded, concealed, or hidden. Screen techniques include fences, walls, vegetation, berms, or other features.
2. Setback: A line within a lot parallel to and measured from a corresponding lot line, forming the boundary of a required yard and setting forth the nearest that a building line may come to that lot line.
3. Sign: A symbolic, visual device fixed upon a building, vehicle structure, or parcel of land, which is intended to convey information about a product, business, activity, place, person, institution, candidate, or political idea.
4. Site: The parcel of land to be developed or built upon. A site may encompass a single lot, a portion of a lot, or a group of lots developed as a common development. A site must be in one base district and cannot be separated by a public street or alley.
5. Site Plan: A plan, prepared to scale, showing accurately and with complete dimensioning, the boundaries of a site and the location of all buildings, structures, uses, and principal site development features proposed for a specific parcel of land.
6. Spa: A structure containing heating elements intended to be filled with water and used for hydrotherapy, relaxation, or pleasure. This term is interchangeable with “hot tub” and “whirlpool”.
7. Special Use Permit Use: A use with operating and/or physical characteristics different from those of permitted uses in a given zoning district which may, nonetheless, be compatible with those uses under special conditions and with adequate public review. Special use permit uses are allowed in a zoning district only at the discretion of and with the explicit permission of the Planning and Zoning Commission.
8. State: The State of Nebraska.
9. Storage Container: ~~A~~
 (a) any container or vessel originally designed for, or used in, the packing, storage, shipping, movement, or transportation of cargo, freight, goods, equipment, or commodities; or

- (b) any railroad cars, truck vans, converted mobile homes, trailers, recreational vehicles, bus bodies, vehicles, and similar pre-fabricated items originally built for purposes other than the storage of goods and materials, when such item is used for the storage of goods and materials and is either no longer operable as intended by the manufacturer or no longer being used as intended by the manufacturer.
10. Street: A right of way, dedicated to public use, which affords a primary means of access to the abutting property.
 11. Structure: Any object constructed or built, the use of which requires location on the ground or attachment to something located on the ground. This definition excludes poles used for the support of wires and appurtenant equipment necessary for the supply or distribution of public utilities.
 12. Swimming Pool: An outdoor structure that is used to hold water and that is used for swimming and other outdoor recreation.”

SECTION 2. That Section 708 of the Zoning Ordinance of the City of Beatrice, Nebraska, Ordinance Number 94-13, be and is hereby added, reading as follows:

“Storage Containers

A. Districts Zoned AG, ~~RR~~, GC, LI, and GI

1. Storage Containers ~~are~~ must meet the same setback requirements as accessory buildings structures.
2. Storage Containers are only permitted on ~~lots~~ premises that ~~do not~~ contain a primary structure, except that they shall be permitted on premises without a primary structure if being used in connection with the construction of a primary structure ~~on the lot~~, as authorized by a current building permit issued by the City.
3. Storage containers shall not be stacked unless the property owner provides an engineer’s set of plans illustrating the methods and materials that will be used to connect the containers and ensure safety.
- ~~2.4.~~ A maximum of two (2) storage containers shall be permitted in districts zoned GC.
- ~~3. Materials stored within Storage Containers are subject to inspection and approval by local and state fire officials.~~

B. All Other Zoning Districts

- ~~1.~~ No Storage Container shall be permitted in districts zoned R-1, R-2, R-3, R-4, RC, RR, O, LC, CBD, CS, and FW, except under the following conditions:
 - a. ~~T for~~ the temporary placement of Storage Containers for the limited purpose of temporary storage to accommodate a move, a remodeling or construction project, or the clean-up of a casualty loss, shall be permitted for a period of time not exceeding thirty (30) calendar days in any one (1) calendar year; or

~~b.1. The temporary placement of Storage Containers by a licensed contractor for the temporary location of an office, or the temporary storage of equipment, and/or materials during construction which is taking place on the property where the Container is located, if the use of the Container is authorized pursuant to a current city building permit.~~

2. When permitted under one of the above exemptions, the Storage Container shall not:

a. Remain on the premises for a period of time exceeding sixty (60) calendar days. Upon request, extensions may be granted by the Chief Building Inspector and shall not be unreasonably withheld.

~~2.3.~~

~~a.~~ b. Be placed in or extend onto the public right-of-way or street; or

~~b.~~ c. Impede, obstruct, or endanger pedestrian or vehicle traffic.

~~3.4.~~ Storage Containers are not permitted on ~~lots~~ premises that do not contain a primary structure, unless being used in connection with the construction of a primary structure on the ~~lot~~ premises.”

SECTION 3. Any Storage Containers that are in violation of this Ordinance at the time of its passing shall be brought into compliance by October 2, 2018.

SECTION 4. All ordinances or parts of ordinances in conflict herein are hereby repealed.

SECTION 5-4. That this ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED AND APPROVED this ~~18th~~ 2nd day of ~~July~~ ne, 2018.

Stan Wirth, Mayor

Attest:

Erin Saathoff, CMC, City Clerk